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2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA
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5 LEO B. MARCHETTI,

6 Plaintiff,

7 vs.

8 NYE COUNTY SCHOOL DISTRICT,

9 Defendant .
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Case No. 2:16-cv-01792-JAD-CWH

REPORT & RECOMMENDATION

11 On April 25, 2017, the court entered an order requiring Plaintiff Leo B. Marchetti to file an
12 application to proceed *in forma pauperis* or to pay the filing fee in this case. (Order (ECF No. 2).)
13 Plaintiff's deadline for doing so was May 24, 2017. (*Id.*) Plaintiff was advised that failure to
14 comply with the order would result in a recommendation that his case be dismissed. (*Id.*) Plaintiff
15 has not taken any action in this case since the court's order dated April 25, 2017, and therefore he
16 appears to have abandoned this case.

17 IT IS THEREFORE RECOMMENDED that Plaintiff Leo B. Marchetti's case be dismissed
18 without prejudice.

19 **NOTICE**

20 This report and recommendation is submitted to the United States district judge assigned to
21 this case under 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation may
22 file a written objection supported by points and authorities within fourteen days of being served
23 with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely objection may
24 waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir.
25 1991).

26 DATED: May 30, 2017

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28 
C.W. Hoffman, Jr.
United States Magistrate Judge